REMARKS/ARGUMENTS

Favorable reconsideration of the application is respectfully requested in view of the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 27-31, 34-40 and 43-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Luong (US 6,314,105) in view of Holiday, et al. (US 6,381,219 hereinafter Holiday). The Applicant respectfully traverses the rejection of these claims and submits that Luong and Holiday do not disclose (directly or inherently) at least the following features present in Claim 27 (similar features can be found in independent Claim 36): 1) the SVC is not broken down between calls; 2) the SVC is connected to end points, not VTs when the SVC is in use and 3) the users are connected to the SVC via a VT to the endpoint and when the user disconnects, the communication between the VT and the endpoint is interrupted, i.e., the VTs are disconnected from the endpoints and the SVC remains connected to the endpoints.

As noted previously, the Applicant's invention monitors bandwidth in all circuits that are established between two nodes. At a predetermined traffic level measured between the two nodes, a Switched Virtual Circuit (SVC) is established to await a future connection. At the time the SVC is established, there may not be an immediate need for the circuit and the circuit may remain idle for a period of time. However, when the SVC is established each end of the circuit is connected to <u>an end point in each node, not to a virtual terminal</u>. A media gateway controller uses half calls to provide and maintain the connection between a virtual termination (VT) in each node and the end point. When an end user requests a connection between nodes, the end user is connected to the virtual termination in one node which is already connected to the end point. Connection signaling only has to take place between the end user and the VT in that node since the SVC is already established between the nodes. The signaling required for the second end user is also only required between the end user and the VT in the second node.

The Applicant respectfully directs the Examiner's attention to claim 27:

27.   (Previously Presented)   A method for communicating between nodes in a network via a switched virtual circuit (SVC) wherein the SVC is not broken down between communication episodes, the method comprising:

establishing a connection between nodes by:

monitoring current bandwidth usage between a first and second node for:

determining whether transmissions between the first and second nodes exceed a predetermined threshold;

responsive   to   the   transmissions   exceeding   the predetermined threshold, establishing at least one SVC between the first and second nodes, wherein each end of the at least one SVC is connected to a first endpoint that is further connected to a first virtual termination (VT) present in the first node and a second endpoint that is further connected to a second VT in the second node; and

responsive to a request from an end user in the first node to connect to an end user in the second node, connecting said first end user to the first VT in the first node and connecting to the second end user via the previously established at least one SVC and the endpoint in the second node to the second VT in the second node; and

upon receiving a request to disconnect the first and second users, disconnecting the first end user from the first VT and the second end user from the second VT while maintaining the SVC between the first and second nodes even though the SVC is idle. (emphasis added)

The Applicant respectfully asserts that neither Luong or Holiday include the above emphasized features of the Applicant's invention.

The Luong reference appears to disclose an apparatus and method for determining when to set up and tear down switched virtual circuits. The underlying principle of the invention is to monitor bit rate between stations and when a threshold is reached a SVC is established. In contrast to the present invention, Luong does not maintain SVCs unless a bit rate threshold is met. If the bit rate is above a first threshold an SVC is established and the SVC is torn down when the bit rate is below a second threshold. The second bit rate threshold is utilized for determining the time to dismantle the SVC. (Col. 8, lines 31-36). The Applicant's invention does not disconnect the SVC according to a second threshold. The SVC is maintained even without traffic.

The Holiday reference appears to disclose a method and apparatus for determining the status of a virtual circuit in an ATM network. Holiday monitors ports in

interface devices to which the switched virtual circuit is connected. In the Official Action, a correspondence is drawn between the Applicant's claimed feature of maintaining an idle SVC and the description of the necessity for maintaining the integrity of a SVC connection between ports. (col. 4, lines 20-23) However, Applicant has reviewed this cited portion of Holiday and finds no reference to maintaining an idle SVC with no connected parties. Instead, the cited portion of Holiday indicates that "...during the life of the call, the SVC should properly and continuously connect the appropriate ports ..." (Col 4, lines 20-33). In other words, Holiday is stating that the SVC should be maintained at the appropriate ports during the call not, as the Applicant claims, after one or both parties have disconnected from the endpoints. The SVC is maintained and truly idle. As stated in the claim "...<u>disconnecting the first end user from the first VT and the second end user from the second VT while maintaining the SVC between the first and second nodes even though the SVC is idle</u>." This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 27.

As between Claim 27 and the Luong and Holiday references, the Applicant submits that independent Claim 36 contains limitations analogous to those found in Claim 27. For the above given reasons the Applicant respectfully requests that the rejection of Independent claims 27 and 36 and the respective dependent claims be withdrawn.

Claims 32 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Luong in view of Holiday in view of Charas (US 6,781,960). The Applicant respectfully traverses the rejection of these claims.

Claims 32 and 41 depend from claims 27 and 36 respectively and recite further limitations in combination with the novel elements of claims 27 and 36. The Charas reference does not supply the limitations missing from Luong and Holiday that is, maintaining an idle SVC between end points after disconnecting end users from the virtual terminals. . The withdrawal of the rejection of claims 32 and 41 is respectfully requested.

Page 8 of 10

Claims 33 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Luong in view of Holiday in view of Li et al. (US 6,775,277 hereinafter Li). The Applicant respectfully traverses the rejection of these claims.,

Claims 33 and 42 depend from claims 27 and 36 respectively and recite further limitations in combination with the novel elements of claims 27 and 36. The Li reference does not supply the limitations missing from Luong and Holiday that is, maintaining an idle SVC between end points after disconnecting end users from the virtual terminals. The withdrawal of the rejection of claims 33 and 42 is respectfully requested.
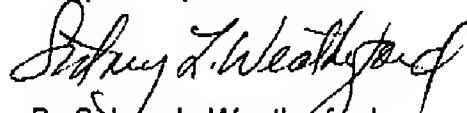
Page 9 of 10

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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